

### THE RESTRICTION REQUIREMENT

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following Groups:

I. Claims 1-30, 42 and 43 drawn to a composition comprising a saponin and an oligonucleotide and a method for stimulating innate immunity comprising administering the said composition to an individual, classified in class 514, subclass 44.

II. Claims 31-41, drawn to a method for stimulating innate immunity comprising administering a composition comprising a saponin to an individual, classified in class 514, subclass 2<sup>+</sup>.

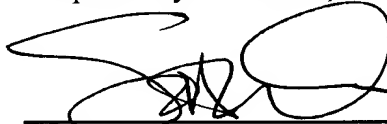
The Examiner contends that the inventions of Groups I and II are distinct.

Applicants elect, without traverse, the invention of Group II, claims 31-41, to prosecute in the present application without prejudice to prosecute the subject matter of the non-elected Group in subsequent applications.

### CONCLUSION

Applicants respectfully request that the foregoing remarks be entered and made of record in the file history of the application. An early allowance of the application is earnestly requested.

Respectfully submitted,



Scott Warren

47,167

(Reg. No.)

Date: August 7, 2002

**PENNIE & EDMONDS LLP**

1155 Avenue of the Americas  
New York, New York 10036-2711  
Phone: (212) 790-9090

**For: Adriane Antler, Reg. No. 32,605**  
**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
Phone: (212) 790-9090